IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

WP(C).No. 31504 of 2007(A)

PETITIONER:

A.USMAN, S/O MOIDU, AIYAR HOUSE,
NEAR NEW PANCHAYATH MARKET,
PADINHARATHARA P.O., WAYANAD DISTRICT,
PIN-673575.

BY ADV. SRI.SARVOTHAMAN

RESPONDENTS:

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1. SECRETARY, PADINHARATHARA GRAMA PANCHAYATH, PADINHARATHARA P.O., WAYANAD DISTRICT.

2. DISTRICT COLLECTOR, OFFICE OF THE DISTRICT COLLECTOR, WAYANAD.

3. KERALA STATE POLLUTION CONTROL BOARD, REPRESENTED BY ENVIRONMENTAL ENGINEER, DISTRICT OFFICE, KALPETTA, WAYANAD DIST.

4. SUB INSPECTOR OF POLICE, PADINHARATHARA POLICE STATION, PADINHARATHARA P.O., WAYANAD DISTRICT.

5. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO THE GOVERNMENT, LOCAL SELF GOVERNMENT INSTITUTIONS, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

R2, R4 & R5 BY SR.GOVT.PLEADER SRI.K.J.MOHAMMED ANZAR.
R3 BY ADV.SRI.M.K.CHANDRAMOHAN DAS, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

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W.P.(C)No.31504 OF 2007

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DATED THIS THE 24TH OCTOBER, 2007

J U D G M E N T

The grievance of the petitioner who is an inhabitant of the 1st respondent-Panchayat is that the market which was commenced by the Panchayat in September this year is causing considerable pollution.

2. I do not propose to go into the merits of the matter. The petitioner and 28 others have submitted Ext.P1 before the 2nd respondent-District Collector. The Writ Petition will stand disposed of issuing the following directions:-

The District Collector will take up Ext.P1, call for remarks from the 1st respondent and also the Senior Environmental Engineer of the Pollution Control Board, hear a representative of the signatories to Ext.P1, the Panchayat Secretary and at least one representative of the meat vendors in the market and take a decision on Ext.P1. Decision as directed above will be taken at the earliest and at any rate within two months of receiving copy of this judgment.

(PIUS C.KURIAKOSE, JUDGE)

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